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PTO/SB/29 (12/97)

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 9804-0115-999 Total Pages 10

First Named Inventor or Application Identifier

Hari Ravichandran

Express Mail Label No. EL 452 482 162 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form
Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 16]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description of the Invention (including drawings, if filed)
 - Claim(s)
 - Abstract of the Disclosure
3. ☒ Drawing(s) (35 USC 113) [Total Sheets 4]
4. ☒ Oath or Declaration [Total Sheets 2]
 - ☐ Newly executed (original or copy)
 - ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]
 - i. ☐ DELETION OF INVENTORS(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Copy
 - b. ☐ Paper Copy (identical to computer copy)
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))
9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure ☐ Copies of IDS
Statement (IDS)/PTO-1449 Citations
12. ☒ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
14. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Other: Revocation and Power of Attorney by Assignee
as filed in parent application

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 08/947,368 filed October 8, 1997.

18. CORRESPONDENCE ADDRESS

Customer Number:



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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEApplication: Examiner P. EliscaArt Unit 2161

Assistant Commissioner for Patents
 Box PATENT APPLICATION
 Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 08/947,368 filed on October 8, 1997.

of Hari Ravichandran

(inventor(s) currently of record in prior application)

for AN APPARATUS AND METHOD FOR PROCESSOR PERFORMANCE MONITORING
 (title of invention)

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE


TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	4	-20	0	\$18.00 each	\$ 0.00
Independent	1	-3	0	\$84.00 each	\$ 0.00
Basic Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
Total					\$ 740.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 0.00
Total Filing Fee					\$ 740.00

2. ☒ Amend the specification by inserting before the first line the following sentence: This is a continuation of application no. 08/947,368, filed October 8, 1997 .
3. ☐ New formal drawings are enclosed.
- 4a. ☐ Informal drawings are enclosed.

- 5a. ☐ Priority of application no. filed on in the is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to Sun Microsystems, Inc..
- 7a. ☒ A copy of the Revocation and Substitution Power of Attorney filed in the prior application no. 08/947,368, filed October 8, 1997 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instructions.
 - A copy of the Application and Declaration from application no. 08/947,368 is enclosed;
 - Information Disclosure Statement with PTO-1449; and
 - Please enter the enclosed Preliminary Amendment before calculating the filing fee.

Respectfully submitted,

Date January 22, 2002


 Wilfred H. Lam (Reg. No.) 41,923
 For Gary S. Williams, Reg. No. 31,066
 PENNIE & EDMONDS LLP
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 Palo Alto, CA. 94304